

Daniel J. Wadley (10358)
wadleyd@sec.gov
Amy J. Oliver (8785)
olivera@sec.gov
351 South West Temple, Ste 6.100
Salt Lake City, Utah 84101
Tel: 801-524-5796
Fax: 801-524-3558
Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

SECURITIES AND EXCHANGE COMMISSION,

PLAINTIFF,

v.

JOHN SCOTT CLARK, an individual,

DEFENDANT.

Case No.: 1:16-cv-00040-JNP
Judge: Jill N. Parrish

FINAL JUDGMENT AS TO DEFENDANT JOHN SCOTT CLARK

The Securities and Exchange Commission having filed a Complaint and Defendant John Scott Clark (“Defendant”) having entered a general appearance; consented to the Court’s jurisdiction over Defendant and the subject matter of this action; consented to entry of this Final Judgment; waived findings of fact and conclusions of law; and waived any right to appeal from this Final Judgment:

I.

IT IS ORDERED, ADJUDGED, AND DECREED that Defendant and Defendant’s agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are

permanently restrained and enjoined from, in connection with the purchase, offer, or sale of any security, using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, directly or indirectly, to (i) create a false appearance or otherwise deceiving any person, or (ii) disseminate false or misleading documents, materials, or information or making, either orally or in writing, any false or misleading statement in any communication with any investor or prospective investor, about:

- (A) any investment in or offering of securities,
- (B) any investment strategy,
- (C) the registration status of such offering or of such securities,
- (D) the prospects for success of any product or company,
- (E) the use of investor funds; or
- (F) the misappropriation of investor funds or investment proceeds.

II.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant and Defendant's agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Final Judgment by personal service or otherwise are hereby prohibited, from, directly or indirectly, in the absence of any applicable exemption, making use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell or offer to sell or buy any security, unless a registration statement has been filed with the Commission as to such security.

III.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is liable for disgorgement of \$1,778,500, jointly and severally with Joshua J. Hansen,

representing profits gained as a result of the conduct alleged in the Complaint. Payment of the disgorgement is deemed satisfied based on criminal restitution imposed in the related criminal matter, *United States v. Clark*, No. 1:16-cr-00012-RJS (D. Utah March 1, 2016).

IV.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, for purposes of exceptions to discharge set forth in Section 523 of the Bankruptcy Code, 11 U.S.C. §523, the allegations in the complaint are true and admitted by Defendant, and further, any debt for disgorgement, prejudgment interest, civil penalty or other amounts due by Defendant under this Final Judgment or any other judgment, order, consent order, decree or settlement agreement entered in connection with this proceeding, is a debt for the violation by Defendant of the federal securities laws or any regulation or order issued under such laws, as set forth in Section 523(a)(19) of the Bankruptcy Code, 11 U.S.C. §523(a)(19).

V.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

VI.

There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.

Dated: May 26, 2016.



UNITED STATES DISTRICT JUDGE